

Reading  
FILE

APR 10 2003

Mr. Don Neumann  
Programs Engineer  
Federal Highway Administration  
P.O. Box 1787  
Jefferson City, MO 65102

Dear Mr. Neumann:

RE: Draft Environmental Impact Statement (DEIS) for Interstate 64/U.S. Route 40 Corridor,  
City of St. Louis and St. Louis County, Missouri

The U.S. Environmental Protection Agency (EPA) has reviewed the DEIS for Interstate 64/U.S. Route 40 Reconstruction also known as "The New I-64." Our review is provided pursuant to the National Environmental Policy Act (NEPA) 42 U.S.C. 4231, Council on Environmental Quality (CEQ) regulations 40 C.F.R. Parts 1500-1508, and Section 309 of the Clean Air Act (CAA). The DEIS was assigned CEQ number 020529.

Based on our overall review and the level of our comments, the EPA rated the DEIS for this project EC- 2 (Environmental Concerns-Insufficient Information). Please refer to the attached "*Summary of Rating Definitions*" for further details on EPA's rating system.

The EPA's concerns are related to the projected impacts to the properties eligible for the National Register of Historic Places and parks/recreational areas. Section 4(f) considerations are significant in this project, since the Section 4(f) mandates: "Avoiding impacts to public parkland and cultural resources deemed eligible for the National Register of Historic Places, unless it is successfully demonstrated that no feasible and prudent alternative exists that avoids "use" or impacts to the resource and that the project includes all possible planning to minimize harm from such use." The preferred build alternative will adversely effect several (4f) properties. EPA requests that steps be taken in consultation with the State Historical Preservation Office (SHPO) to identify mitigation measures to minimize harm and impacts to the historic structures, neighborhoods and public parkland. Appropriate mitigation measures should be presented in the Final Environmental Impact Statement (FEIS).

020529.031703.DEISI64\_USRt40.DEIS.wpd

ENSV/IO  
Johnson

ENSV/IO  
Cothorn

ENSV  
Hutton

We also have concerns regarding neighborhoods that are minority and/or low income and should be duly considered with respect to disproportionate impacts under the Environmental Justice (EJ) Executive Order (E.O. 12898). There are several sensitive populated areas within the project corridor and many of these areas are experiencing cumulative environmental impacts and/or human health burdens. EPA appreciates the efforts already undertaken to identify these areas and for working with the neighborhoods to address the impacts of this project. We encourage you to continue to explore opportunities to reduce impacts to these communities and to continue to communicate with the residents throughout the project planning and during construction. Details of the plans to mitigate EJ impacts should be presented in the FEIS.

Additional comments related to our review of the DEIS are enclosed. These comments focus on air quality, environmental justice, and watershed impacts, along with general comments related to mitigation and implementation of the project.

The EPA appreciates the opportunity to review and comment on the DEIS. Please send a single copy of the Final EIS to the address indicated on the letterhead above (Mail Routing: ENSV/IO) when it is filed with EPA's Washington, D.C. office. If you have any questions, please contact Ms. Kim Johnson, NEPA Reviewer at (913) 551-7975.

Sincerely,

U. Gale Hutton, Director  
Environmental Services Division

cc: Mr. Kevin Keith, MODOT

Enclosure

**DETAILED COMMENTS**  
**The New I-64 DEIS**  
**St Louis County and the City of St. Louis**

**Air Quality**

The PM fine and 8-hour ozone national air quality standards are currently being implemented. Designations for attainment and nonattainment areas for the 8-hour ozone are scheduled to be published on April 15, 2004, and the PM fine designations are scheduled to be published in December 2004. Based on monitoring, St. Louis is projected to be nonattainment for both standards. If designated nonattainment, all transportation projects in the area will be subject to transportation conformity analysis one year after the publication date of nonattainment areas. Recognizing that construction is scheduled to begin in 2008, this project may be subject to conformity analysis for both 8-Hour Ozone and PM fine.

Due to the fact that air monitors in the St. Louis area are measuring ambient concentrations above the 8-hour ozone and PM fine air quality standards, additional mitigation to reduce air quality impact should be considered for this project. For example, reduction of Ozone and PM fine precursors could be accomplished by requiring engine retrofits or alternative fuels such as bio-diesel in both on-road and off-road diesel engine construction equipment.

**Water Quality**

Section III(B)(2)(a) references the EPA Index of Watershed Indicators (IWI) as a reference for watershed health evaluations. The IWI is no longer current and may not be a reliable source of information.

**Environmental Justice (EJ)**

Exhibit IV-2 Environmental Justice Analysis by 2000 Census Block illustrates the minority population percentage for each census block. For Environmental Justice purposes, it would be beneficial to also show low income areas and identify the geographic boundaries of areas that have both low income and high minority populations.

**Historical and Archaeological Preservation**

Section IV (O)(4) identifies that preferred alternatives will have adverse impacts on the Lavinia Gardens and Bennett Street historical districts. Please clarify the adverse impacts to these neighborhoods and if these impacts will remove their eligibility for historical designation.

## **Draft Environmental Impact Statement Rating Definitions**

### **Environmental Impact of the Action**

#### **"LO" (Lack of Objections)**

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

#### **"EC" (Environmental Concerns)**

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

#### **"EO" (Environmental Objections)**

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

#### **"EU" (Environmentally Unsatisfactory)**

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

### **Adequacy of the Impact Statement**

#### **"Category 1" (Adequate)**

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

"Category 2" (Insufficient Information)

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

"Category 3" (Inadequate)

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.